Comment Code	Summary Main Comments	Pg. #	Categorey of Comment
67-B	Oregon does not have a program in place to control nonpoint pollution sufficiently to meet the additional CZARA MM needed to attain/maintain wqs and protect designated uses, particularly due to logging on private lands.	1	Forestry - Roads; Forestry - Landslides
77-M	Roads: The Agencies "remain concerned" (about forest roads delivering sediment into streams) without citing a single source indicating a problem exists, without citing any water quality standard or beneficial use the rules fail to protect, indeed without citing a single reason for concern.	17	Forestry - Roads; Forestry - Legal
77-N	Roads: There have been significant new rule revisions in 2002 and 2003, and broad success under the Oregon Plan for Salmon and Watersheds, all detailed thoroughly in the State's July submission to the Agencies.	17	Forestry - Roads

77-O	The agencies allege that the state has not provided “a commitment to exercise its back-up authority to require implementation of additional management measures for forestry roads, as needed.” This is ludicrous. The rule revisions in 2002 and 2003 indicate that the OFPA is working precisely as it should, and evidence a continuing commitment by the Board of Forestry to implement additional management measures as needed. One would be hard-pressed to imagine better evidence of the Board’s commitment. If there were additional data indicating that forest roads continue to “cause or contribute significantly to a degradation of coastal waters”—an issue ODF is actively monitoring under OAR 629-635-0110—then the Board would initiate a new rulemaking, as it has done repeatedly in the past.	17	Forestry - Roads

77-P	The Agencies also assert that the State has not provided sufficient data to the Agencies to document effectiveness of voluntary efforts under the Oregon Plan. The Agencies suggest that an extensive (and expensive) inventory and reporting program for forest roads is necessary “to determine the extent of forestry road miles not meeting current road standards within the nonpoint management area." Here, the Agencies presume a problem exists (again, without citation to a single source) until the State can prove otherwise. However, nothing in CZARA requires that a state prove a negative. Additionally, data shows that salmon stocks are recovering since the 1990s. Finally, we are not aware of any scientific evidence indicating that habitat and water quality conditions have materially improved in Washington State due to implementation of their road maintenance and abandonment program	18	Forestry - Roads
77-Q	Alleging that Oregon's rules are insufficient without reason, and without any support, is the definition of arbitrary, and a disapproval action on this basis would not survive even cursory judicial scrutiny.	19	Forestry - Roads; Forestry - Legal

75-D	Inspected recent road failure: The down hill shoulder of this mid-slope sited road had broken away in several locations, due to fill slope failure. Mud and debris flows, some recent, were much in evidence, their effect on the watershed some two or three hundred feet below, clearly discernible. This phenomenon, obviously the result of heavy rain fall on deforested and very steep slopes, has repeated itself with regularity over the years I have been roaming these hills. It is a disgrace and impacts directly on water quality. The cost to repair the failure will be borne by U.S. taxpayers through BLM & FHA.	2	Forestry - Clear cuts; Forestry Landslides; Forestry - Roads
57-D	Oregon has repeatedly submitted a coastal nonpoint program that EPA and NOAA have repeatedly refused to approve, in large part because it did not include adequate regulation of forest practices in the form of additional management measures.	9	Forestry -- General; Forestry -- riparian; Forestry -- landslides; Forestry -- roads
57-I	Failure to protect water quality from impacts due to roads, buffers, and logging on steep/unstable slopes	15	Forestry -- General; Forestry -- riparian; Forestry -- landslides; Forestry -- roads
57-N	The construction, use, maintenance, and existence of logging roads detrimentally affects stream health and aquatic habitat by increasing sediment delivery and stream turbidity.	20	Forestry -- roads

57-O	Oregon's forest practices rules impose generic BMPs and do not use pertinent water quality data to drive road management decisions; in fact they are precisely the kinds of BMPs that have been shown to be inadequate and ineffective at protecting water quality and beneficial uses.	22	General -- water quality; Forestry -- roads
57-P	Oregon forest practices regulations applicable to forest roads consistently prioritize logging over protection of water quality.	23	General -- water quality; Forestry -- roads
57-Q	Oregon's road location rule does not require operators to eliminate or avoid water quality problems; rather, it simply requires them to minimize risk. EPA and NOAA cannot approve Oregon's CNPCP component for forest roads simply based on rules that require operators to minimize the risk to waters of the state.	23-24	General -- water quality; Forestry -- roads
57-R	Oregon's forest road rules are so loaded with vague, ambiguous, precatory, and conditional language that they can afford EPA and NOAA no rational basis for concluding that they ensure protection of water quality and designated beneficial uses in Oregon's coastal areas.	24	Forestry -- landslides; Forestry -- roads
57-T	Oregon's wet weather road use rule's purpose is "to reduce the delivery of ifine sediment to streams caused by the use of forest roads during wet periods that may adversely affect downstream water quaility in Type F or Type D streams," is designed to reduce delivery of fine sediment, but not esigned to elimate the elivery of fine sediment or to ensure that such delivery does not impair water quality.	25	Forestry -- roads

57-U	Oregon road rules lack a requirement to bring existing, inactive logging roads and other forest roads up to a standard that effectiely prevents water quality problems. This resultes in many forest roads which are not currently being used for logging falling through the regulatory cracks and continuing to have a negative impact on water quality.	26	Forestry -- roads						
Letter 0 - DEQ-DLCD		17	Forestry Roads						
0-A	The Federal government has indicated that they remain concerned about the adequacy of forest road measures to effectively address the impacts of road operation and maintenance, particularly legacy roads. EPA and NOAA (1998) define "Legacy forest roads" as, “roads constructed and used prior to adoption of the FPA (and not used and maintained since then) were not required to be treated and stabilized before closure.” In more recent communication, the EPA extended the definition of legacy roads to include “forest roads that do not meet current State requirements with respect to siting, construction, maintenance, and road drainage.”	17, 60, 61	Forestry Roads						
0-B	Oregon has made revisions to the FPA with regard to forest road measures since 1998 (see above) and contends that its forest practices regulations for forest roads are sufficient to ensure achievement of water quality standards, and that additional management measures for roads are not necessary at this time.	17	Forestry Roads						

0-C	The FPA has definitions for three types of roads: Active, Inactive and Vacated. A road used for forest management access since the effective date of the FPA (1971) is either active or inactive and must be maintained to FPA standards, unless it is vacated (OAR 629-625-0600). Roads that are not maintained or pose a substantial risk of sediment delivery are addressed through enforcement authority. Landowners are encouraged to implement voluntary measures to further reduce the risk of sediment delivery.	17, 59	Forestry Roads						
0-D	The 2002 ODF-DEQ Sufficiency Analysis concluded current road related best management practices (BMPs) are likely to maintain water quality if implemented in compliance with the FPA	17, 59	Forestry Roads						
0-E	Initial results from the Trask Watershed Study show little to no impact of road crossings on stream turbidity when roads are constructed and maintained according to FPA rules.	17, 59	Forestry Roads						
0-F	Monitoring conducted in 2002 showed high levels of compliance with road rules. A compliance audit is also underway in 2013-2014 and ODF continues to implement road BMP training.	17	Forestry Roads						
0-G	Changes to protections since 1998 include: develop specific guidance for roads in critical locations; require durable surfacing on roads used during wet season and cease hauling if sediment delivery exists; reduce sediment delivery by installing cross drains; and provide clarity on road drainage BMPs to reduce sediment delivery	17-18	Forestry Roads						

0-H	Other items done to address roads include: 1. forestland owners identified and prioritized roads for remendiation, 2. As of 2012, forest landowners have invested almost $100 million in voluntary measures; 3. redesign of ODF's notification and inspection process has increased FPA inspections; 4. Instituted an annual audit to measure compliance with FPA; 5. Entered into a cooperative agreement to update forest road data; 6. ODF requires a management plan for family forest land owners to receive federal cost-share, including a description of roads based upon an onsite review.	18	Forestry Roads						
0-I	In 2002, the BOF approved management measures for avoiding roads in critical locations. Critical locations include high landslide hazard locations, slopes over 60 percent with decomposed granite-type soils, within RMAs or within 50 feet of stream channels or lakes, or within wetlands. These are locations where direct impacts to streams are likely even when the best forest road building techniques (the road design and construction rules) are used correctly. See “Avoiding Roads in Critical Locations,” Forest Practices Technical Note Number 7, 2003 (ODF 2003).	59	Forestry Roads						

0-J	Wet-weather hauling – Additional rules designed to prevent adverse impacts from road related sediment delivery occurring during wet periods associated with log hauling activities were adopted by the BOF in 2003. This new rule requires landowners to provide durable road surfacing, or other measures to prevent sediment delivery to waters of the state. It also allows the state forester to require that a landowner cease hauling activities if sediment delivery from log hauling activities results in visible turbidity increases in an adjacent stream.ent measures for avoiding roads in critical locations.	59, 60	Forestry Roads						
0-K	A new rule, designed to reduce the potential of sediment delivery from steep, erosion prone slopes was adopted by the BOF in 2002. This rule applies to ground based harvesting operations and specifies conditions and BMP's that shall be followed to maintain water quality and beneficial uses	60	Forestry Roads						
0-L	The department evaluated and revised the existing rule on road drainage to provide clarity on the priority of corrective BMP's to reduce potential sediment delivery. An additional rule was added that allows the state forester to require installation of additional cross drains prior to hauling for prevention of sediment delivery to waters of the state. These rules were adopted in 2003.	60	Forestry Roads						

0-M	A former road that has not been used for forest management access since 1971 will likely be covered with trees and other vegetation, have fills which were washed out by the many high flows over the last 40 years, and based on ODF state forests road surveys actually be less connected to streams (less of a risk of chronic erosion) than active or inactive roads. Legacy roads may still have locations at risk of landslides. However, to access and repair these roads requires clear cutting the trees on the road prism, reconstruction of washed out sections, and then removal of these reconstructed sections. All of these activities will increase chronic erosion for the sake of reducing potential episodic erosion.	60, 61	Forestry Roads						
0-N	In more recent communication, the EPA extended the definition of legacy roads to include “forest roads that do not meet current State requirements with respect to siting, construction, maintenance, and road drainage. Legacy roads could be temporarily (abandoned) or permanently (orphaned) not in use or include forest roads currently being used for active silvicultural operations. The definition of legacy road is less important to EPA than having a State CNPCP that ensures the subset of forest roads contributing to water quality or beneficial use impairment are identified and addressed within a reasonable timeframe” (June 4, 2013 email from David Powers, Regional Manager for Forests and Rangelands).	61	Forestry - Roads						

0-O	Roads with attributes that do not meet current State requirements for siting, construction, and road drainage are addressed through OPSW voluntary measures, backed by enforceable authority.	61	Forestry - Roads						
0-P	With the advent of OPSW, private and state forestland owners implemented efforts to improve water quality, including the road risk and remediation program (ODF-1 and 2). Under this effort, forestland owners surveyed roads to identify 11 risks that the roads may pose to salmonid habitat. Risks were identified and prioritized for remediation following an established protocol.	61							
0_Q	As of 2011, private forestland owners have invested over $93 million in OPSW voluntary measures, as documented by the Oregon Watershed Restoration Inventory. These voluntary efforts continue; between 2004 and 2011, inclusive, industrial forestland owners (accounting for 6.0 million acres) have invested over $24 million, and non-industrial (primarily family forestland owners with 4.7 million acres) have invested $2 million. Oregon recognizes the challenge with family forestland owners, who often do not have capital resources to address costly road remediation. As of 2010, forestland owners have surveyed over 16,000 miles of roads, and have completed significant improvements.	61	Forestry Roads						

0-R	These OPSW voluntary measures are backed by enforceable authority under ORS 527.990 criminal penalties and ORS 527.992 civil penalties. Current rules allow for enforcement actions on active, inactive or improperly vacated roads that are at risk or currently deliver sediment to waters of the state (for example see above discussion of road drainage). EPA is concerned that only road construction or reconstruction activities will provide the trigger for improving road drainage (from 1998 and 2004 interim decision). However, as implemented by the Board of Forestry in Administrative Rules (OAR 625 Division 670), the State Forester may initiate enforcement action by issuing and serving a written statement of unsatisfactory condition to the landowner or operator when timely corrective action is needed to eliminate the potential for resource damage or other consequences from any active or inactive road. A	62	Forestry Roads						
0-S	In 2011, as directed by the legislature, Oregon undertook a third-party evaluation of administration of the Forest Practices Act. Oregon redesigned the notification and inspection process, which has increased the number of field inspections to ensure implementation and compliance with rules and BMPs. Oregon has instituted an annual audit to measure compliance with the FPA.	62	Forestry Roads						

0-T	Voluntary reporting of OPSW voluntary measures has diminished in past years, however it is reasonable to assume that voluntary measure implementation has not. Additional effort is planned to increase knowledge of OPSW voluntary measures that currently exist and to encourage landowners to voluntarily report their activities to the Oregon Watershed Restoration Inventory (OWRI).	62							
0-U	Many private landowners have been implementing the Road Hazard Identification and Risk Reduction Project since 1997. Thousands of miles of roads have been inspected and repaired as part of this project (OWEB 2005). However, there is no consistent monitoring of road conditions after these repairs. Current information indicates that conditions of roads vary by land manager, by landscape, and by relative position of roads in watersheds.	63	Forestry Roads						
0-V	Oregon has entered into a cooperative agreement with the USDA Forest Service to update its statewide forest road geographic information system data layer. The updated data layer is needed to redevelop a sample for a statewide survey of forest roads for the Board of Forestry's indicator D.c., Forest roads risks to soil and water resources.	63	Forestry Roads						

0-W	The survey design uses a stratified random sample by landowner class and geographic area. The objective of the rapid road survey is to efficiently and effectively evaluate road risks to soil and water resources. The survey is designed to consistently evaluate current conditions and also near-term future road conditions likely to be affected by major storms. This survey can identify road elements that pose the greatest risk to soil and water resources by quantifying stream crossing condition, washout risk, and hydrologic connection to streams. Oregon hopes to start the survey in 2014, depending on cooperation with federal partners.	63	Forestry Roads						
0-X	Oregon also requires a management plan for all family forestland owners in order to receive federal cost-share dollars administered by ODF. The plan requires a description of the roads and their characteristics that lie within the family forest based upon an onsite review of the roads. Roads should be identified as to their purpose, surface, length, drainage type, and number and type of stream crossings. Problem areas – poor drainage, rutting, clogged ditches and culverts, culvert failures, and road failures – are called out and flagged for taking action. The standards in the uniform management plan have been developed and adopted by many cooperators, including the USDA Forest Service and Natural Resource Conservation Service, Forest Stewardship Council, and American Tree Farm System. Currently, plans are in place on 18% of 4.7 million acres.	63, 64	Forestry Roads						

Letter 0 - DEQ-DLCD									

Comment Code	Summary Main Comments	Pg. #	Categorey of Comment
63-B	Concerned with logging impacts, particularly from clearcutting and resultant hillside erosion, which may pollute our drinking water spring. We had severe clearcutting around our private forest and this caused substantial loss of river quality.	1	Forestry - General; Forestry - landslides
67-A	Supports disapproval although regrets loss of funding.	1	Forestry - General
67-E	Additional MMs needed for foresty such as what is described on pg. 7-12 of proposed findings.	1	Forestry - General
67-F	Used Salmonberry River in north Coast range as prime example of impacts.	2	Forestry - General
67-G	Refutes OR's claims the land use laws provide sufficient protection… even if they've helped prevent sprawl, still need to control forest industry that is damaging remote watersheds	11	Forestry - General
70-C	Beyond Toxics report on pesticide/herbicide use in forestry shows that FPA lacks any program to protect Oregon streams and their beneficial uses (see report attached). Requires no pesticide buffer on non-fish streams even though neighboring states (WA, ID) require 25ft buffers. In non-fish bearing streams, amphibians and crawfish are affected by pesticide application	2	Forestry - General; Forestry - Pesticides; Forestry - Riparian

77-F	Oregon's Forest Practices Act establishes a dynamic program that responds promptly and deliberately to environmental issues as they arise. … With respect to water quality, the Oregon Forest Practices Act (the "OFPA") mandates that the Board of Forestry adopt standards for forest practices that "provide for the overall maintenance" of "water resources, including but not limited to sources of domestic drinking water." ORS 527.710(2)(b). The OFPA also charges the Board of Forestry with establishing "best management practices and other rules applying to forest practices as necessary to insure that to the maximum extent practicable nonpoint source discharges of pollutants resulting from forest operations on forestlands do not impair the achievement and maintenance of water quality standards established by the Environmental Quality Commission." ORS 527.765(1). Note that this language hews closely to the CZARA requirement that the CNPCP include additional management measures necessary to "attain or maintain applicable water quality standards." ... Forest Practice Rules are fully enforceable.	4, 5, 6	Forestry - General; Forestry - Legal
77-G	FPA requires BMP monitoring with adaptive feedback. Board has charged ODF with pesticide use monitoring, OAR 629-620-0700(1), and landslides and public safety monitoring. OAR 629-623-0000(4). In each circumstance, the Board will consider the monitoring results and take appropriate action, including when necessary, development of new forest practice rules. Cites example of 2002 road runoff drainage study that led to improved rules. FP Rules have evolved over time.	5, 6	Forestry - General; Forestry - Legal

75-E	Notes changes in tax law favor private timber industry and don't recoop enough $ to help local govn't. Amounts to shameless taxpayer-funded PR propaganda for timber interests. Illustration of "deliberate lack of political will to fund the appropriate agencies and activities that are crucial to improving Oregon's degraded water quality.	2	Forestry - General
75-F	Points out that "NOAA noted in its fairly recent opinion about potential ESA delisting of the Coastal Coho Salmon, the benefits of such riparian restorations, although worthwhile, were being rapidly outstripped by the effects of logging in the uplands. Nothing has changed."	3	Forestry - General; Forestry - Riparian
75-G	Recognizes that disapproval will have finanical consequences for 319 that their organization and others benefit from but its time for state to do something.	3	Forestry - General; Penalties - Benefits
79-B	Supports OFIC letter and statements they make	1	Forestry -- General
79-C	OFPA includes a specific mandate to the Board of Forestry to achieve and maintain water quality standards, and provides the Oregon Department of Forestry with enforcement authority. The EPA and NOAA have produced little meaningful evidence that Oregon's forest practices rules currently fail to meet these water quality and beneficial use objectives. To the contrary, there is a large body of science indicating that modern Oregon forest practices are either neutral to positive in terms of their effect on aquatic life	2	Forestry -- General
57-D	Oregon has repeatedly submitted a coastal nonpoint program that EPA and NOAA have repeatedly refused to approve, in large part because it did not include adequate regulation of forest practices in the form of additional management measures.	9	Forestry -- General; Forestry -- riparian; Forestry -- landslides; Forestry -- roads

57-E	Fully agrees with EPA and NOAA findings that Oregon has failed to develop and implement additional management measures for foresry and so has failed to submit an approvable program under CZARA.	12	Forestry -- General
57-F	Oregon's voluntary and regulatory forest practices programs do not sufficiently protect water quality or designated beneficial uses.	12	Forestry -- General
57-G	Oregon's forest practices program improperly equates compliance with forest practices regulations with compliance with water quality standards.	13	General -- water quality; Monitoring -- improvements needed; Forestry -- General
57-H	ODEQ has failed to use its authority to override ODF's inadequate forest practices in order to bring compliance with water quality standards	13	General -- water quality; Forestry -- General
57-I	Failure to protect water quality from impacts due to roads, buffers, and logging on steep/unstable slopes	15	Forestry -- General; Forestry -- riparian; Forestry -- landslides; Forestry -- roads
57-S	EPA and NOAA cannot rely on Oregon's enforcement authority where enforcement most likely only occurs *after* damage to water quality occurs. OAR 629-625 rules generally mean that so long as operators are not harming wter quality they are in complance with the rule.	24	Forestry -- General
57-V	Implementation of BMPs without reference to and monitoring of applicable water quality standards -- including the protection of designated beneficial uses -- is simply inadequate to protect Oregon streams.	27	General -- water quality; Monitoring -- improvements needed; Forestry -- General

57-W	Despite EPA's and NOAA's telling Oregon for over a decade that its forest practices programs are not sufficiently protecting water quality, and despite ample and relevant science demonstrating that clear-cutting and other logging practices in Oregon generate nonpoint source pollution that harms water quality, Oregon substantially increased the amount of clear-cutting allowed in North Coast state forests.	28	Forestry -- General; Forestry -- clear cuts

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4-C	· Oregon needs to prioritize clean water (even for smallest streams) and guard against human-made landslides.	1	Forestry-riparian; landslides; pesticides
13-B	· Supportive of 3 key areas where Oregon hasn't met program requirements (forestry--all elements, OSDS, and new devel) and asks us to continue to work with OR to address those issues.	1	New Devel; OSDS; Forestry-riparian; landslides; pesticides; roads
14-D	· ODF is working to strengthen forest rules for riparian protection but face political challenges that require thoughtful science to bring along. Maintaining support of forest industry is important for water quality protection and will take longer than Spring 2014.	2	Forestry-riparian; General-need more time
20-B	Additional riparian setbacks would only hurt logging industry and drive up price of lumber.	1	Forestry-riparian
24-C	· BOF/ODF have had proposals to improve stream protection come before than but to date, have failed to take action.	1	Forestry-riparian
28-B	· Very narrow or non-existent buffers along streams that flow into Siletz. Clear cut to banks and airial spraying over cuts.	1	Forestry-riparian; Forestry-clear cuts; Forestry-pesticides
30-E	Oregon must increase protection of riparian areas for small and medium fish and non-fish streamsand high-risk landslide areas.	2	Forestry-riparian; Forestry-landslides
30-K	· 20 ft buffers ODF mandates on drinking water streams are too narrow to w/stand blowdowns and provide much protection from airial spraying.	4	Forestry-riparian
30-L	· Complete lack of buffers on non-fish streams make sedimentation a constant impairment/risk.	4	Forestry-riparian

30-M	· The drinking water for our communities routinely have high levels of known carcinogens, trihalomethanes and haloacetic acids. These high levels are caused when excess sediment that enters public waters from logging roads and inadequate riparian buffers reacts with disinfectants required to treat the water.	4	Forestry-General; Forestry-riparian; Forestry-roads
35-I	·Oregon does not have a workable program that meets the requirements of EPA and NOAA for a coastal nonpoint pollution program. Piecemeal approaches such as promises to increase TMDL's, tighten Department of Forestry riparian rules and decommission legacy roads, are insufficient as basic management measures to grant Oregon approval for a nonpoint program.	4	New devel; Forestry-riparian; Forestry-roads; General-water quality
35-J	·NOAA/EPA need to require Oregon to provide not only a solid framework of basic management measures, but also a detailed and concrete list of additional management measures to actually protect riparian areas, and provide substantially increased protections for fertilizer, herbicide and pesticide applications near fish-bearing and non-fish bearing streams.	4	Forestry-riparian; Forestry-pesticides
40-A	· Supports proposed disapproval. Significant clear cuttings occuring in "protected" (Clear Lake) watershed w/ minimal (10 ft) buffers between waterways (including drinking water source) and homes.	1	Decision; Forestry-clear cutting; Forestry-riparian
43-E	Clear that OR forest practices are far behind CA and WA. There are signifant differences in setbacks, notification or application process and consequences for non-compliance rather than just passing the consequences on to future generations.	2	Forestry-General; Forestry-riparian

44-D	·Areas where program improvement needed that could actually work to control polluted runoff from logging would be protection of riparian areas for small and medium streams (fish and non-fish bearig), including sufficient riparian buffers for application of pesticides along non-fish streams; treating old logging roads often built on fill that are leaching sediment, protection of high-risk landslide areas from cuts	1	Forestry-riparian; Forestry-roads; Forestry-landslides
46-C	· State is not doing enough to prevent polluted runoff from forestry--especially related totimber harvesting and riparian protection (fish and nonfish-bearing streams and for pesticide application).	2	Forestry-General; Forestry-riparian; Forestry-pesticides
46-H	Oregon doesn't have programs in place to protect and restore riparian areas needed to maintain cool stream temperatures and habitat, protect and restore channel conditions from modification, protect and restore wetlands, identify where more protection is needed to protect important habitat for species, identify where more pollution control is needed to protect uses, monitor water quality and use water quality data to improve pollution controls, monitor pesticide use and impacts, assess whether pollution controls are reducing pollution and improving water quality, link the enforcement agencies and process with other agencies, or use enforcement when voluntary actions are not adequate to protect water quality.	7	Forestry-riparian; Ag-riparian; Hydromod; Wetlands; Monitoring-improvements needed; Toxics/Pesticides; General-voluntary approaches

48-A	· State has gotten by with an ineffective piecemeal approach, including promises to tighten TMDL's, increase the size of riparian buffers under Department of Forestry rules for logging on private lands, decommission and/or restore so-called legacy roads in forestlands, and craft a voluntary approach to onsite septic leakage. All of these things are necessary, but none are remotely sufficient to solve the problems facing coastal communities.	1	General-need to improve water quality; Forestry-riparian buffers; Forestry-roads; OSDS
48-F	· Drinking waters are surrounded by private forest land or are below forest operations. 20ft buffers on fish-bearing streams do not protect from sedimentation and pesticide/herbicide use.	2	Forestry-riparian
48-I	Lack of sufficient protection for non-fish bearing streams is significant issue. Agree with NOAA/EPA that add MM for better rip protection of non-fish bearing streams is needed.	3	Forestry-riparian
48-J	The 20-foot riparian buffer where required is completely ineffective, and subject to blowdown in even a moderate coastal storm.	3	Forestry-riparian
49-E	Insufficient riparian buffers for fish and non-fish bearing streams contributes to polluted runoff and doesn't have programs in place to adequately protect and restore riparian areas needed to maintian cool stream temperatures and habitat.	1	Forestry-riparian
55-J	Protection of riparian areas: ODF's own study, Ripstream, documents that harvesting on private forest land carries a significant risk (estimated at 40%) that harvesting will result in violations of Oregon's water quality standard for protecting cold water.	4	Forestry-riparian

55-K	In theroy, EQC has legal authority to require changes that will provide protection to streams, the practical reality is that there is no certainty whatsoever that there will be any additional riparian protection provided. EQC/DEQ can petition BOF but they can take 2 yrs to act and even then, could decide no to do anything.		4	Forestry-riparian
55-N	Supports Beyond Toxics Comments. Need mandatory spray buffers and vegetated riparian zone. Buffers around streams.		6	Forestry-pesticides; Forestry-riparian
56-E	NMFS recommeded buffers range from 150-300ft far above 20ft that OR has (only for fish-bearing).		3	Forestry-riparian
58-H	Cites numerous studies about inadequacy of OFPA and how its worse than federal and neighboring states.	7 to 11		Forestry-clear cut; Forestry-landslides, Forestry-riparian; Forestry-roads
63-D	Inadequate protection and restoration of riparian areas	1		Forestry-riparian
80-L	Additional efforts are needed to address legacy road conditions and protection of non-fish bearing streams in oregon's forests.		4	Forestry-roads; Forestry-riparian
82-B	Notes ODF has been doing good work to improve WQ, riparian habitat, and road improvements. Cites # of culverts replaced and other stats.	1 and 2		Forestry-general; Forestry-riparian; Forestry-roads
83-H	The logging of unstable slopes and Type N stream created polluted runoff and the existing logging road network is also source of sediment.		1	forestry-riparian; forestry-landslides; forestry-roads
57-D	Oregon has repeatedly submitted a coastal nonpoint program that EPA and NOAA have repeatedly refused to approve, in large part because it did not include adequate regulation of forest practices in the form of additional management measures.		9	Forestry -- General; Forestry -- riparian; Forestry -- landslides; Forestry -- roads

57-I	Failure to protect water quality from impacts due to roads, buffers, and logging on steep/unstable slopes	15	Forestry -- General; Forestry -- riparian; Forestry -- landslides; Forestry -- roads
57-J	Effectiveness of the overall system of riparian management zones in maintaining sufficiently low turbidity is diminished at a watershed scale due to inadequate buffers in headwater basins.	17	General -- fails to meet wqs/uses; Forestry -- riparian
57-K	Clearcutting riparian areas around streams increases the probability of debris flows and sediment delivery to streams due to the accumulation of debris.	18	Forestry -- riparian; Forestry -- clear cuts
57-L	Riparian buffers in Oregon's rules do not sufficiently prevent the warming of streams that accompanies loss of canopy cover, do not sufficiently filter nutrients and sediment from surface waters draining through riparian buffers, and do not protect streams from debris flows and landslides.	20	Forestry -- riparian
57-M	The science is overwhelming: Oregon's riparian buffer and steep slope loggigng rules are insufficient to protect water quality and all designated beneficial uses.	20	General -- fails to meet wqs/uses; Forestry -- riparian; Forestry landslides
57-SS	Despite nearly all of the TMDLs for temperature in Oregon's coastal watersheds' having established a load allocation of zero heat increase for nonpoint sources, the load allocations have not been used to determine minimum riparian buffer width, height, and density to achieve the load allocations.	69	General -- fails to meet wqs/uses; General -- need to consider other issues; Forestry -- riparian

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61-A	Supports disapproval	1	Foresty - Roads; Forestry - Landslides
63-B	Concerned with logging impacts, particularly from clearcutting and resultant hillside erosion, which may pollute our drinking water spring. We had severe clearcutting around our private forest and this caused substantial loss of river quality.	1	Forestry - General; Forestry - landslides
67-B	Oregon does not have a program in place to control nonpoint pollution sufficiently to meet the additional CZARA MM needed to attain/maintain wqs and protect designated uses, particularly due to logging on private lands.	1	Forestry - Roads; Forestry - Landslides
77-J	We disagree that the FPA is not protective of high-risk landslide prone areas. in evaluating the results from Turner et. al. (2010), it is misleading to focus only on landslide density relationships. Rather, it is important to also consider the total number of landslides triggered during major storms. While landslide densities have been shown to be higher in steep terrain with young forest stands, the proportion of this area across mountainous terrain is potentially very low, so that potential increases in sediment delivery to public resources from landslides triggered in these areas is also proportionately small. ... Channel alterations from debris flows are a naturalhabitat-forming process and not necessarily negative.	14, 15, 16	Forestry - Landslides
77-K	EPA argues that Oregon must have additional management measures for forestry to protect HLHLs, to maintain good water quality, and to ensure that designated uses are protected. However, EPA does not offer any objective evidence that these additional measures are necessary. We respectfully suggest that EPA consider a landscape-scale view over long timeframes as the proper context for evaluating whether water quality standards and designated uses are impaired or attained. Disturbance and recovery processes are an essential part of these landscape-driven forest ecosystems.	16, 17	Forestry - Landslides

77-L	From a strictly legal perspective, the Agencies have produced no evidence (much less, substantial evidence), that landslides resulting from forest management activities are causing water quality standard exceedances, or negatively impacting aquatic life more than landslides do under background conditions. Without more, a decision to disapprove Oregon's CNPCP would not withstand judicial review.	17	Forestry - Landslides

Comment Code	Summary Main Comments	Pg. #	Categorey of Comment
67-B	Oregon does not have a program in place to control nonpoint pollution sufficiently to meet the additional CZARA MM needed to attain/maintain wqs and protect designated uses, particularly due to logging on private lands.	1	Forestry - Roads; Forestry - Landslides
77-M	Roads: The Agencies “remain concerned” (about forest roads delivering sediment into streams) without citing a single source indicating a problem exists, without citing any water quality standard or beneficial use the rules fail to protect, indeed without citing a single reason for concern.	17	Forestry - Roads; Forestry - Legal
77-N	Roads: There have been significant new rule revisions in 2002 and 2003, and broad success under the Oregon Plan for Salmon and Watersheds, all detailed thoroughly in the State’s July submission to the Agencies.	17	Forestry - Roads

77-O	The agencies allege that the state has not provided “a commitment to exercise its back-up authority to require implementation of additional management measures for forestry roads, as needed.” This is ludicrous. The rule revisions in 2002 and 2003 indicate that the OFPA is working precisely as it should, and evidence a continuing commitment by the Board of Forestry to implement additional management measures as needed. One would be hard-pressed to imagine better evidence of the Board’s commitment. If there were additional data indicating that forest roads continue to “cause or contribute significantly to a degradation of coastal waters”—an issue ODF is actively monitoring under OAR 629-635-0110—then the Board would initiate a new rulemaking, as it has done repeatedly in the past.	17	Forestry - Roads

77-P	The Agencies also assert that the State has not provided sufficient data to the Agencies to document effectiveness of voluntary efforts under the Oregon Plan. The Agencies suggest that an extensive (and expensive) inventory and reporting program for forest roads is necessary “to determine the extent of forestry road miles not meeting current road standards within the nonpoint management area." Here, the Agencies presume a problem exists (again, without citation to a single source) until the State can prove otherwise. However, nothing in CZARA requires that a state prove a negative. Additionally, data shows that salmon stocks are recovering since the 1990s. Finally, we are not aware of any scientific evidence indicating that habitat and water quality conditions have materially improved in Washington State due to implementation of their road maintenance and abandonment program	18	Forestry - Roads
77-Q	Alleging that Oregon's rules are insufficient without reason, and without any support, is the definition of arbitrary, and a disapproval action on this basis would not survive even cursory judicial scrutiny.	19	Forestry - Roads; Forestry - Legal

75-D	Inspected recent road failure: The down hill shoulder of this mid-slope sited road had broken away in several locations, due to fill slope failure. Mud and debris flows, some recent, were much in evidence, their effect on the watershed some two or three hundred feet below, clearly discernible. This phenomenon, obviously the result of heavy rain fall on deforested and very steep slopes, has repeated itself with regularity over the years I have been roaming these hills. It is a disgrace and impacts directly on water quality. The cost to repair the failure will be borne by U.S. taxpayers through BLM & FHA.	2	Forestry - Clear cuts; Forestry Landslides; Forestry - Roads
57-D	Oregon has repeatedly submitted a coastal nonpoint program that EPA and NOAA have repeatedly refused to approve, in large part because it did not include adequate regulation of forest practices in the form of additional management measures.	9	Forestry -- General; Forestry -- riparian; Forestry -- landslides; Forestry -- roads
57-I	Failure to protect water quality from impacts due to roads, buffers, and logging on steep/unstable slopes	15	Forestry -- General; Forestry -- riparian; Forestry -- landslides; Forestry -- roads
57-N	The construction, use, maintenance, and existence of logging roads detrimentally affects stream health and aquatic habitat by increasing sediment delivery and stream turbidity.	20	Forestry -- roads

57-O	Oregon's forest practices rules impose generic BMPs and do not use pertinent water quality data to drive road management decisions; in fact they are precisely the kinds of BMPs that have been shown to be inadequate and ineffective at protecting water quality and beneficial uses.	22	General -- water quality; Forestry -- roads
57-P	Oregon forest practices regulations applicable to forest roads consistently prioritize logging over protection of water quality.	23	General -- water quality; Forestry -- roads
57-Q	Oregon's road location rule does not require operators to eliminate or avoid water quality problems; rather, it simply requires them to minimize risk. EPA and NOAA cannot approve Oregon's CNPCP component for forest roads simply based on rules that require operators to minimize the risk to waters of the state.	23-24	General -- water quality; Forestry -- roads
57-R	Oregon's forest road rules are so loaded with vague, ambiguous, precatory, and conditional language that they can afford EPA and NOAA no rational basis for concluding that they ensure protection of water quality and designated beneficial uses in Oregon's coastal areas.	24	Forestry -- landslides; Forestry -- roads
57-T	Oregon's wet weather road use rule's purpose is "to reduce the delivery of ifine sediment to streams caused by the use of forest roads during wet periods that may adversely affect downstream water quaility in Type F or Type D streams," is designed to reduce delivery of fine sediment, but not esigned to elimate the elivery of fine sediment or to ensure that such delivery does not impair water quality.	25	Forestry -- roads

57-U	Oregon road rules lack a requirement to bring existing, inactive logging roads and other forest roads up to a standard that effectiely prevents water quality problems. This resultes in many forest roads which are not currently being used for logging falling through the regulatory cracks and continuing to have a negative impact on water quality.	26	Forestry -- roads						
Letter 0 - DEQ-DLCD		17	Forestry Roads						
0-A	The Federal government has indicated that they remain concerned about the adequacy of forest road measures to effectively address the impacts of road operation and maintenance, particularly legacy roads. EPA and NOAA (1998) define "Legacy forest roads" as, “roads constructed and used prior to adoption of the FPA (and not used and maintained since then) were not required to be treated and stabilized before closure.” In more recent communication, the EPA extended the definition of legacy roads to include “forest roads that do not meet current State requirements with respect to siting, construction, maintenance, and road drainage.”	17, 60, 61	Forestry Roads						
0-B	Oregon has made revisions to the FPA with regard to forest road measures since 1998 (see above) and contends that its forest practices regulations for forest roads are sufficient to ensure achievement of water quality standards, and that additional management measures for roads are not necessary at this time.	17	Forestry Roads						

0-C	The FPA has definitions for three types of roads: Active, Inactive and Vacated. A road used for forest management access since the effective date of the FPA (1971) is either active or inactive and must be maintained to FPA standards, unless it is vacated (OAR 629-625-0600). Roads that are not maintained or pose a substantial risk of sediment delivery are addressed through enforcement authority. Landowners are encouraged to implement voluntary measures to further reduce the risk of sediment delivery.	17, 59	Forestry Roads						
0-D	The 2002 ODF-DEQ Sufficiency Analysis concluded current road related best management practices (BMPs) are likely to maintain water quality if implemented in compliance with the FPA	17, 59	Forestry Roads						
0-E	Initial results from the Trask Watershed Study show little to no impact of road crossings on stream turbidity when roads are constructed and maintained according to FPA rules.	17, 59	Forestry Roads						
0-F	Monitoring conducted in 2002 showed high levels of compliance with road rules. A compliance audit is also underway in 2013-2014 and ODF continues to implement road BMP training.	17	Forestry Roads						
0-G	Changes to protections since 1998 include: develop specific guidance for roads in critical locations; require durable surfacing on roads used during wet season and cease hauling if sediment delivery exists; reduce sediment delivery by installing cross drains; and provide clarity on road drainage BMPs to reduce sediment delivery	17-18	Forestry Roads						

0-H	Other items done to address roads include: 1. forestland owners identified and prioritized roads for remendiation, 2. As of 2012, forest landowners have invested almost $100 million in voluntary measures; 3. redesign of ODF's notification and inspection process has increased FPA inspections; 4. Instituted an annual audit to measure compliance with FPA; 5. Entered into a cooperative agreement to update forest road data; 6. ODF requires a management plan for family forest land owners to receive federal cost-share, including a description of roads based upon an onsite review.	18	Forestry Roads						
0-I	In 2002, the BOF approved management measures for avoiding roads in critical locations. Critical locations include high landslide hazard locations, slopes over 60 percent with decomposed granite-type soils, within RMAs or within 50 feet of stream channels or lakes, or within wetlands. These are locations where direct impacts to streams are likely even when the best forest road building techniques (the road design and construction rules) are used correctly. See “Avoiding Roads in Critical Locations,” Forest Practices Technical Note Number 7, 2003 (ODF 2003).	59	Forestry Roads						

0-J	Wet-weather hauling – Additional rules designed to prevent adverse impacts from road related sediment delivery occurring during wet periods associated with log hauling activities were adopted by the BOF in 2003. This new rule requires landowners to provide durable road surfacing, or other measures to prevent sediment delivery to waters of the state. It also allows the state forester to require that a landowner cease hauling activities if sediment delivery from log hauling activities results in visible turbidity increases in an adjacent stream.ent measures for avoiding roads in critical locations.	59, 60	Forestry Roads						
0-K	A new rule, designed to reduce the potential of sediment delivery from steep, erosion prone slopes was adopted by the BOF in 2002. This rule applies to ground based harvesting operations and specifies conditions and BMP's that shall be followed to maintain water quality and beneficial uses	60	Forestry Roads						
0-L	The department evaluated and revised the existing rule on road drainage to provide clarity on the priority of corrective BMP's to reduce potential sediment delivery. An additional rule was added that allows the state forester to require installation of additional cross drains prior to hauling for prevention of sediment delivery to waters of the state. These rules were adopted in 2003.	60	Forestry Roads						

0-M	A former road that has not been used for forest management access since 1971 will likely be covered with trees and other vegetation, have fills which were washed out by the many high flows over the last 40 years, and based on ODF state forests road surveys actually be less connected to streams (less of a risk of chronic erosion) than active or inactive roads. Legacy roads may still have locations at risk of landslides. However, to access and repair these roads requires clear cutting the trees on the road prism, reconstruction of washed out sections, and then removal of these reconstructed sections. All of these activities will increase chronic erosion for the sake of reducing potential episodic erosion.	60, 61	Forestry Roads						
0-N	In more recent communication, the EPA extended the definition of legacy roads to include “forest roads that do not meet current State requirements with respect to siting, construction, maintenance, and road drainage. Legacy roads could be temporarily (abandoned) or permanently (orphaned) not in use or include forest roads currently being used for active silvicultural operations. The definition of legacy road is less important to EPA than having a State CNPCP that ensures the subset of forest roads contributing to water quality or beneficial use impairment are identified and addressed within a reasonable timeframe” (June 4, 2013 email from David Powers, Regional Manager for Forests and Rangelands).	61	Forestry - Roads						

0-O	Roads with attributes that do not meet current State requirements for siting, construction, and road drainage are addressed through OPSW voluntary measures, backed by enforceable authority.	61	Forestry - Roads						
0-P	With the advent of OPSW, private and state forestland owners implemented efforts to improve water quality, including the road risk and remediation program (ODF-1 and 2). Under this effort, forestland owners surveyed roads to identify 11 risks that the roads may pose to salmonid habitat. Risks were identified and prioritized for remediation following an established protocol.	61							
0_Q	As of 2011, private forestland owners have invested over $93 million in OPSW voluntary measures, as documented by the Oregon Watershed Restoration Inventory. These voluntary efforts continue; between 2004 and 2011, inclusive, industrial forestland owners (accounting for 6.0 million acres) have invested over $24 million, and non-industrial (primarily family forestland owners with 4.7 million acres) have invested $2 million. Oregon recognizes the challenge with family forestland owners, who often do not have capital resources to address costly road remediation. As of 2010, forestland owners have surveyed over 16,000 miles of roads, and have completed significant improvements.	61	Forestry Roads						

0-R	These OPSW voluntary measures are backed by enforceable authority under ORS 527.990 criminal penalties and ORS 527.992 civil penalties. Current rules allow for enforcement actions on active, inactive or improperly vacated roads that are at risk or currently deliver sediment to waters of the state (for example see above discussion of road drainage). EPA is concerned that only road construction or reconstruction activities will provide the trigger for improving road drainage (from 1998 and 2004 interim decision). However, as implemented by the Board of Forestry in Administrative Rules (OAR 625 Division 670), the State Forester may initiate enforcement action by issuing and serving a written statement of unsatisfactory condition to the landowner or operator when timely corrective action is needed to eliminate the potential for resource damage or other consequences from any active or inactive road. A	62	Forestry Roads						
0-S	In 2011, as directed by the legislature, Oregon undertook a third-party evaluation of administration of the Forest Practices Act. Oregon redesigned the notification and inspection process, which has increased the number of field inspections to ensure implementation and compliance with rules and BMPs. Oregon has instituted an annual audit to measure compliance with the FPA.	62	Forestry Roads						

0-T	Voluntary reporting of OPSW voluntary measures has diminished in past years, however it is reasonable to assume that voluntary measure implementation has not. Additional effort is planned to increase knowledge of OPSW voluntary measures that currently exist and to encourage landowners to voluntarily report their activities to the Oregon Watershed Restoration Inventory (OWRI).	62							
0-U	Many private landowners have been implementing the Road Hazard Identification and Risk Reduction Project since 1997. Thousands of miles of roads have been inspected and repaired as part of this project (OWEB 2005). However, there is no consistent monitoring of road conditions after these repairs. Current information indicates that conditions of roads vary by land manager, by landscape, and by relative position of roads in watersheds.	63	Forestry Roads						
0-V	Oregon has entered into a cooperative agreement with the USDA Forest Service to update its statewide forest road geographic information system data layer. The updated data layer is needed to redevelop a sample for a statewide survey of forest roads for the Board of Forestry's indicator D.c., Forest roads risks to soil and water resources.	63	Forestry Roads						

0-W	The survey design uses a stratified random sample by landowner class and geographic area. The objective of the rapid road survey is to efficiently and effectively evaluate road risks to soil and water resources. The survey is designed to consistently evaluate current conditions and also near-term future road conditions likely to be affected by major storms. This survey can identify road elements that pose the greatest risk to soil and water resources by quantifying stream crossing condition, washout risk, and hydrologic connection to streams. Oregon hopes to start the survey in 2014, depending on cooperation with federal partners.	63	Forestry Roads						
0-X	Oregon also requires a management plan for all family forestland owners in order to receive federal cost-share dollars administered by ODF. The plan requires a description of the roads and their characteristics that lie within the family forest based upon an onsite review of the roads. Roads should be identified as to their purpose, surface, length, drainage type, and number and type of stream crossings. Problem areas – poor drainage, rutting, clogged ditches and culverts, culvert failures, and road failures – are called out and flagged for taking action. The standards in the uniform management plan have been developed and adopted by many cooperators, including the USDA Forest Service and Natural Resource Conservation Service, Forest Stewardship Council, and American Tree Farm System. Currently, plans are in place on 18% of 4.7 million acres.	63, 64	Forestry Roads						

Letter 0 - DEQ-DLCD									

Comment Code	Summary Main Comments	Pg. #	Categorey of Comment
62-B	Concerned with logging impacts from pesticide/herbicide use and habitat "mistreatment". There should be no aerial spraying close to known drinking water sources.	1	Forestry - Pesticides
62-C	Need more regular monitoring of drinking water for pesticides/herbicides; designated uses and water quality standards in coastal watersheds are not protected.	1	Monitoring - Improvements needed; Forestry - Pesticides
76-A	Concerned about pesticide spraying. They have tested positive for pesticide/herbicides even though they run an organic farm.	1	Forestry - Pesticides
76-B	Would like to incorporate many other studies/reports by reference (included links in letter)	1	Forestry - Pesticides
76-C	Supports pesticide-free buffers around schools, such as near Triangle Lake.	2	Forestry - Pesticides
69-C	Especially concerned about inadequate buffer for aerial spray pesticide application. Oregon has an inadequately small no-spray buffer zone around fish-bearing streams and no effective program to protect non-fish bearing streams.	2	Forestry - Pesticides; Forestry - Riparian
70-C	Beyond Toxics report on pesticide/herbicide use in forestry shows that FPA lacks any program to protect Oregon streams and their beneficial uses (see report attached). Requires no pesticide buffer on non-fish streams even though neighboring states (WA, ID) require 25ft buffers. In non-fish bearing streams, amphibians and crawfish are affected by pesticide application	2	Forestry - General; Forestry - Pesticides; Forestry - Riparian
70-D	Unknown risks from synergistic interactions of chemicals mixed together.	2,3	Forestry - Pesticides
70-E	Oregon has inadequate protection of fish-bearing streams and drinking water compared to neighboring states.	3	Forestry - Pesticides; Forestry - Riparian

70-G	Herbicides (e.g., Atrazine) can persist in water and can bind with soil particles, so under OR's FPA, pesticides such as atrazine are sprayed into dry channels that become active in wetter months, carrying herbicides downstream to fish.	4	Forestry - Pesticides
70-J	Oregon must develop a research program to determine if aerial application of herbicides is necessary for timber production. Oregon needs additional management measures to protect uses and water quality from pesticide drift.	5	Monitoring - Improvement needed; Forestry - Pesticides
77-R	Water quality monitoring of a type-N (non-fish bearing) forest stream during and after herbicide spray operations (applied under OFPA rules and guidelines and FIFRA/labeling regulations) shows no evidence of detrimental impacts. Nevertheless, Oregon continues to support monitoring that would identify potential problems should they arise. ... Recent monitoring has not found a problem with contemporary forest aerial herbicide spray operations; in fact just the opposite. Oregon is currently monitoring for over 100 pesticides, which will aloow the state to respond should herbicides be identified at unacceptable levels.	19, 21	Forestry - Pesticides
77-S	Since 1998 there have been significant changes in how chemicals are applied to forests under FIFRA. Findings from the Spray Drift Task Force and other research led to revisions in chemical labeling. Pesticide applicators are licensed under FIFRA and recent court rulings have further increased regulation of applicators and land owners. Oregon's Forest Practices Act rule guidelines state that applications must comply with the most stringent of requirements of either the label, or forest practice rules and guidelines.	19	Forestry - Pesticides

77-T	ODF has developed extensive guidelines for implementing the Oregon Forest Practices Act rules for herbicide applications to forest lands. See Oregon Department of Forestry, Forest Practice Rule Guidance: Chemicals and Other Petroleum Products (2009), available at http://goo.gl/uv8oIH. Also cite pesticide monitoring studies that show no significant impact.	19	Forestry - Pesticides
72-B	EPA & NOAA have found that Oregon forests have adequate stream buffers for pesticides on salmon bearing streams. How was this determined? Seasonal and non-fish bearing streams have not been considered. Isn't this the water that feeds the fish-bearing streams and rivers? Stream buffers and logging practices in this state are a joke--a sad joke.	1	Forestry - Pesticides; Forestry - Riparian
75-C	Concerned about lack of riparian buffers in clear cuts and spraying.	1	Forestry - Riparian; Forestry - Clear Cuts; Forestry - Pesticides
85-D	Coastal watersheds are impaired due to state govn't corruption and control by forest and chemical industry. Cites 2 examples of how EPA has gotten involved with two problems in OR (OR Health Authority's Hwy 36 investigation and Curry County airial spraying poisoning)	2	Forestry - pesticides
85-E	Supports Beyond Toxics Comments.	2	Forestry - pesticides

Comment Code	Summary Main Comments	Pg. #	Categorey of Comment
75-B	Ecological function of the Oregon Coast Range and Cascade Range Foothills has been and continues to be severely degraded by the harvest activities associated with industrial, clear-cut logging. Look in any direction and clear cuts abound. (Up to 120 acres are allowed by the OFPA!)	1	Forestry - Clear cuts
75-C	Concerned about lack of riparian buffers in clear cuts and spraying.	1	Forestry - Riparian; Forestry - Clear Cuts; Forestry - Pesticides
75-D	Inspected recent road failure: The down hill shoulder of this mid-slope sited road had broken away in several locations, due to fill slope failure. Mud and debris flows, some recent, were much in evidence, their effect on the watershed some two or three hundred feet below, clearly discernible. This phenomenon, obviously the result of heavy rain fall on deforested and very steep slopes, has repeated itself with regularity over the years I have been roaming these hills. It is a disgrace and impacts directly on water quality. The cost to repair the failure will be borne by U.S. taxpayers through BLM & FHA.	2	Forestry - Clear cuts; Forestry Landslides; Forestry - Roads

Comment Code	Summary Main Comments	Pg. #	Categorey of Comment
12-A	· Anti-clear cutting (doesn't believe it can be done sustainably); pro sustainable forestry.	1	Forestry-clear cutting

40-A	· Supports proposed disapproval. Significant clear cuttings occuring in "protected" (Clear Lake) watershed w/ minimal (10 ft) buffers between waterways (including drinking water source) and homes.	1	Decision; Forestry-clear cutting; Forestry-riparian
42-D	· Jetty Creek watershed provides drinking water to Rockaway Beach. 80% of watershed has been clearcut over past several years even though DEQ source water assessment noted these are steep slopes with erosive soils.	1	Forestry-clear cutting; Forestry-landslide
43-D	· Logging around Quartz Creek denuded the area. Designation of spotted owl sites and high risk areas meant nothing to operator. Hills, road failures, and on-going erosion verify the consequences of ODF's ineffective rules and laws.	1	Forestry-clear cutting; Forestry-General; Forestry-roads
53-F	Problems with FPA include restrictions on clearcuts to 120 ac by one owner (doesn't account for cumulative impacts of nearby owners)	2	Forestry-clear cutting

Comment Code	Summary Main Comments	Pg. #	Categorey of Comment
77-F	Oregon's Forest Practices Act establishes a dynamic program that responds promptly and deliberately to environmental issues as they arise. … With respect to water quality, the Oregon Forest Practices Act (the "OFPA") mandates that the Board of Forestry adopt standards for forest practices that "provide for the overall maintenance" of "water resources, including but not limited to sources of domestic drinking water." ORS 527.710(2)(b). The OFPA also charges the Board of Forestry with establishing "best management practices and other rules applying to forest practices as necessary to insure that to the maximum extent practicable nonpoint source discharges of pollutants resulting from forest operations on forestlands do not impair the achievement and maintenance of water quality standards established by the Environmental Quality Commission." ORS 527.765(1). Note that this language hews closely to the CZARA requirement that the CNPCP include additional management measures necessary to "attain or maintain applicable water quality standards." ... Forest Practice Rules are fully enforceable.	4, 5, 6	Forestry - General; Forestry - Legal
77-G	FPA requires BMP monitoring with adaptive feedback. Board has charged ODF with pesticide use monitoring, OAR 629-620-0700(1), and landslides and public safety monitoring. OAR 629-623-0000(4). In each circumstance, the Board will consider the monitoring results and take appropriate action, including when necessary, development of new forest practice rules. Cites example of 2002 road runoff drainage study that led to improved rules. FP Rules have evolved over time.	5, 6	Forestry - General; Forestry - Legal

77-M	Roads: The Agencies “remain concerned” (about forest roads delivering sediment into streams) without citing a single source indicating a problem exists, without citing any water quality standard or beneficial use the rules fail to protect, indeed without citing a single reason for concern.	17	Forestry - Roads; Forestry - Legal
77-Q	Alleging that Oregon's rules are insufficient without reason, and without any support, is the definition of arbitrary, and a disapproval action on this basis would not survive even cursory judicial scrutiny.	19	Forestry - Roads; Forestry - Legal